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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,054	03/28/2001	Adam R. Schran	10397-IU1	3079
570 7590 06/11/2009 PANITCH SCHWARZE BELISARIO & NADEL LLP ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103				
EXAMINER LEROUX, ETIENNE PIERRE				
ART UNIT 2161		PAPER NUMBER		
MAIL DATE 06/11/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/820,054

Applicant(s)

SCHRAN ET AL.

Examiner

Etienne P. LeRoux

Art Unit

2161

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Prosecution Reopened

In view of the appeal brief filed on 3/16/2009, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161

Claim Status

Claims 1-30 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 16, 20, 25 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Montulli (US 5,774,670).

Regarding claims 1 and 16, Montulli discloses:

(a) receiving, at a server, a request from a subscriber to send a list of cookie file sources to the client machine [col 7, line 50, for-fee online services can send back information, col 7, lines 10-15, a server responds to an http request by returning an HTTP object to a client, the server may also send a piece of state information that the client system will store, in an embodiment of the present invention, the state information is referred to as a cookie, col 7, lines 15-20, cookie includes a range of URLs for which that state information should be repeated back to, Fig 4, col 7, lines 30-35, the client system sends an http request to the Web server, in response to the http request, the server returns an HTML document together with a header which is typically separate from the HTML documents, the header may contain one more cookies]

(b) downloading the list of cookie file sources to the client machine

[col 7, lines 60-65, state information is stored by the receiving client system in the form of a cookie list for later use]

(c) using the downloaded list of sources to detect cookie files received at the client machine from cookie file sources on the downloaded list by comparing the cookie file source of any received cookie file to the cookie file sources on the downloaded list

[col 9, lines 30-35, if a cookie is received that matches the NAME, domain and path of a previously received cookie, then the previously received cookie will be overwritten]

Regarding claims 5, 20, 25 and 29 Montulli discloses removing the detected cookie files stored in the client machine [col 9, lines 20 - 30, when the 300 total cookies or the 20 cookie per server limit is exceeded, clients may delete the least recently used cookie, NOTE: 300 total cookies = list of cookie files].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6-8, 10-14, 15, 17, 21-23, 26-28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montulli as noted above and further in view of Walker (US 6,286,001). Regarding claims 2 and 17, Montulli discloses the elements of the claimed invention as noted above but does not disclose (d) creating a first exception list including the identity of cookie file

sources that are permitted to store cookies in the client machine, (e) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, and (f) modifying the downloaded list in accordance with the first and second exception lists. Walker discloses (d) creating a first exception list including the identity of cookie file sources that are permitted to store cookies in the client machine, (e) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, and (f) modifying the downloaded list in accordance with the first and second exception lists [Walker, col 3, lines 1-15]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Montulli to include (d) creating a first exception list including the identity of cookie file sources that are permitted to store cookies in the client machine, (e) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, and (f) modifying the downloaded list in accordance with the first and second exception lists as taught by Walker for the purpose of creating lists of permissions.

Note: Examiner maintains when the downloaded list is examined and the parent identifies, from the downloaded list, a list (sublist) of cookie file sources that are permitted to store cookie files in the client machine the remainder of the cookie file sources on the downloaded list is the list (sublist) of cookie file sources that are not permitted to store cookie files on the client machine. Regarding claims 6, 11, 21, 26 and 30, the combination of Montulli and Walker discloses preventing cookie files from being stored in the client machine [col 2, lines 64-67]. Regarding claim 7, the combination of Montulli and Walker discloses

- (a) creating a first exception list including the identity of file sources that are permitted to store files in the client machine, wherein a file includes a file source [Walker; the parent or supervisor then may modify the start-up database by adding new web pages or web sites. col 3, lines 1-20]
- (b) creating a second exception list including the identity of file sources that are not permitted to store files in the client machine [Walker; sites on the start-up database which are not approved by the parent for viewing by a child, i.e., deleted by the parent or supervisor, col 3, lines 1-20]
- (c) receiving at the client machine, from a service provider, a master list of file sources [Walker; col 3, lines 1-20, start-up database]
- (d) modifying the master list in accordance with the first and second exception lists, wherein the composite list is the modified master list [Walker, col 3, lines 1-20, start-up database is modified by adding new web sites and deleting existing web sites].

Walker discloses above claim limitations including a pre-approved list of child-appropriate URL sources but does not disclose a list of cookie file sources. Montulli discloses a cookie file source [col 7, lines 10-25].

Regarding claim 8, the combination of Montulli and Walker discloses wherein the composite list is stored in the client machine independent of the first exception list, the second exception list and the received master list [Walker; sites on the start-up database which are not approved by the parent for viewing by a child, col 3, lines 1-20]

Regarding claim 10, the combination of Montulli and Walker discloses (e) removing stored files received at the client machine from cookie file sources on the composite list by comparing the cookie file source of stored cookie files to the cookie file sources on the composite list, and

removing any stored cookie files that have no matching cookie file sources [Walker, col 3, lines 1-20]

Regarding claims 12 and 27 the combination of Montulli and Walker discloses:

(a) receiving at the client machine, from the service provider, a master list of cookie file sources [Walker; col 3, lines 1-20, start up database]

(b) deleting cookie file sources from the master list that correspond to one or more trusted cookie file sources listed in the client machine [Walker; col 3, lines 1-20, deleting websites from the start-up database to form a list of unauthorized web sites]

(c) adding cookie file sources to the master list that correspond to one or more untrusted cookie file sources listed in the client machine, wherein the composite list is the master list as modified by any additions and deletions of trusted and untrusted cookie file sources [Walker; col 3, lines 1-20, adding new websites]

Montulli discloses cookie file sources [col 7, lines 15-30]

Regarding claims 13, 23 and 28, the combination of Montulli and Walker discloses wherein the master list and the composite list are stored independently in the client machine [Walker col 3, lines 1-20]

Regarding claim 14, the combination of Montulli and Walker discloses (d) removing cookie files stored in the client machine and received from cookie file sources on the composite list by comparing the cookie file source of stored cookie files to the cookie file sources on the composite list, and removing any stored cookie files that have matching cookie file sources, wherein a cookie file includes a cookie file source [Montulli, col 9, lines 30-35]

Regarding claim 15, the combination of Montulli and Walker discloses

(d) preventing cookie files received at the client machine from sources on the composite list from being stored in the client machine by comparing the cookie file sources of received cookie files to the cookie file sources on the composite list, and preventing storage of any received cookie files that have matching cookie file sources, wherein a cookie files includes a cookie file source [Regarding claim 22, the combination of Montulli and Walker discloses (a) creating a first exception list including the identity of cookie file sources that are permitted to store cookies in the client machine, (b) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, (c) receiving at the client machine, from the service provider, a master list of cookie file sources and (f) modifying the downloaded list in accordance with the first and second exception lists [Walker, col 3, lines 1-15]
Montulli discloses a cookie file [col 7, lines 15-30].

Claims 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Montulli in view of Shrader (US 6,851,060).
Regarding claims 4 and 19, Montulli discloses the elements of the claimed invention as noted above but does not disclose displaying a message at the client machine indicating that a cookie file received from a cookie file source on the downloaded list has been detected. Shrader discloses displaying a message at the client machine indicating that a cookie file received from a cookie file source on the downloaded list has been detected [Shrader, Fig 7]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include displaying a message at the client machine indicating that a

cookie file received from a cookie file source on the downloaded list has been detected as taught by Shrader for the purpose of alerting the user.

Claims 3 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Montulli and further in view of Julien Jay.

Regarding claims 3, 18, the combination of Montulli and Walker disclose the elements of claimed invention as noted above but does not disclose (d) receiving updates of the downloaded list from the server on a periodic basis. Julien discloses receiving updates of the downloaded list from the server on a periodic basis [page 2, paragraph 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify above references to include receiving updates of the downloaded list from the server on a periodic basis as taught by Julien Jay for the purpose of maintaining the list current with changes to existing web sites and with the addition of new web sites.

Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Montulli and Walker and further in view of Julien Jay.

Regarding claims 9 and 24, the combination of Montulli and Walker disclose the elements of claimed invention as noted above but does not disclose (d) receiving updates of the downloaded list from the server on a periodic basis. Julien discloses receiving updates of the downloaded list from the server on a periodic basis [page 2, paragraph 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify above references to include receiving updates of the downloaded list from the server on a periodic basis as taught by Julien

Jay for the purpose of maintaining the list current with changes to existing web sites and with the addition of new web sites.

Response to Arguments

Applicant's arguments filed 3/16/2009 have been fully considered but they are moot based on above new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached 8:00 am - 4:30 pm, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner, Art Unit 2161
4/28/2009

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